

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SUSAN J. BALDWIN,

Plaintiff,

v.

GODDARD RIVERSIDE COMMUNITY  
CENTER,

Defendant.

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11-CV-7591 (PGG)(HP)

**REPLY DECLARATION OF MICHAEL TILIAKOS, ESQ.**

Pursuant to 28 U.S.C. § 1746, Michael Tiliakos declares that the following facts are true and correct, subject to the laws against perjury of the United States of America:

1. I am a partner at the law firm Duane Morris LLP, counsel to Defendant Goddard Riverside Community Center ("GRCC"), and am fully familiar with the facts set forth below. I submit this reply declaration in further support of Defendant's Motion for Summary Judgment.

2. A true and correct copy of additional relevant portions of the transcript from the deposition of Plaintiff Susan J. Baldwin is attached hereto as Exhibit T.

3. A true and correct copy of additional relevant portions of the transcript from the deposition of Salvatore Uy is attached hereto as Exhibit U.

Dated: New York, New York  
April 12, 2013

  
MICHAEL TILIAKOS

# EXHIBIT T

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SUSAN BALDWIN,

Plaintiff,

-vs-

No. 11 Civ 7591

GODDARD RIVERSIDE COMMUNITY  
CENTER, et al.,

Defendants.

-----X

DEPOSITION OF SUSAN BALDWIN

New York, New York

September 7, 2012

Reported by:

Bonnie Pruszynski, RMR

JOB NO. 53070

1  
2 UNITED STATES DISTRICT COURT  
3 SOUTHERN DISTRICT OF NEW YORK

4 ----- :  
5 SUSAN J. BALDWIN, :

6 Plaintiff, :

7 v. :

11-CV-7591 (PGG) (HP)

8 :  
9 GODDARD RIVERSIDE COMMUNITY :  
10 CENTER, :

11 Defendant. :  
12 ----- :

13  
14 CONTINUED DEPOSITION OF SUSAN BALDWIN

15 New York, New York

16 Wednesday, November 14, 2012  
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22

23 Reported by:

24 ASHLEY SHUGAR

25 JOB NO. 55516

<p style="text-align: right;">Page 122</p> <p>1 S. Baldwin</p> <p>2 It would have taken me more time to explain to</p> <p>3 Paulette how to answer the letter than -- I had</p> <p>4 already written the answer. So, it was --</p> <p>5 Q Anything else?</p> <p>6 A No.</p> <p>7 Q If you look at paragraph 44 then of</p> <p>8 your complaint, it talks -- the last sentence says</p> <p>9 that "she," being Ms. Herman, "ignored your</p> <p>10 recommendations, but implemented some of them as</p> <p>11 soon as Susan was gone."</p> <p>12 What are you referring to there?</p> <p>13 A Well, again, I am referring to</p> <p>14 something that my former associate told me. She</p> <p>15 stayed on after I was fired, that's Mercedes</p> <p>16 Rankin.</p> <p>17 I know one of my suggestions that I</p> <p>18 can think of was that we had identified a young</p> <p>19 woman, who could work well with the tenants. That</p> <p>20 was one of the problems we had with the bedbug</p> <p>21 issues, that they couldn't get their apartments</p> <p>22 ready for the bedbug treatment. And we had found</p> <p>23 this young woman, who actually could work well</p> <p>24 with older tenants, help them get rid of the</p> <p>25 clutter and whatever.</p>	<p style="text-align: right;">Page 123</p> <p>1 S. Baldwin</p> <p>2 And I remember saying maybe we could</p> <p>3 bring her on board, and pay her a small fee. And</p> <p>4 that -- that wasn't, you know, it was sort of</p> <p>5 hanging out there. And then I did hear subsequent</p> <p>6 to, after I was gone, I heard that she was, in</p> <p>7 fact, hired and that that worked out well.</p> <p>8 Q Do you know when she was hired?</p> <p>9 A No.</p> <p>10 Q What else, if anything?</p> <p>11 A I mean that's one thing that sort of</p> <p>12 stands out.</p> <p>13 Q Nothing else?</p> <p>14 A Not that I am thinking of right off</p> <p>15 the bat.</p> <p>16 Q What about Salvatore Uy, do you</p> <p>17 believe that Mr. Uy retaliated against you?</p> <p>18 A I -- I think he did, because I guess</p> <p>19 that was his job to do that. He never explained</p> <p>20 why I was being fired.</p> <p>21 Q You said you think he did because you</p> <p>22 guess that was his job to do that. What do you</p> <p>23 mean by that?</p> <p>24 A Well, he was an associate director.</p> <p>25 I must add, I'm -- I don't know.</p>
<p style="text-align: right;">Page 124</p> <p>1 S. Baldwin</p> <p>2 But, I mean, he showed up with Ms. Herman the day</p> <p>3 I was fired, and when I asked -- they gave me a</p> <p>4 letter that said all of these reasons for firing</p> <p>5 me.</p> <p>6 First of all, he called in the</p> <p>7 morning and said that he wanted to come over to</p> <p>8 discuss bed bugs, and when they showed up they</p> <p>9 showed up with this letter firing me and saying</p> <p>10 there was all of this documentation to, you know,</p> <p>11 why I with a being fired, but both of them refused</p> <p>12 to respond when I asked what -- what were -- what</p> <p>13 was -- what were the reasons. And they weren't</p> <p>14 able to produce if I any documentation, so I am</p> <p>15 just doing my own arithmetic and putting the</p> <p>16 pieces together.</p> <p>17 Q How did you get along with Sal while</p> <p>18 you were working at Goddard?</p> <p>19 A Fine.</p> <p>20 Q Sal being Sal Uy.</p> <p>21 A Yes. I didn't have that many</p> <p>22 dealings with him.</p> <p>23 Q The dealings that you did have with</p> <p>24 him, whether many or few, were fine?</p> <p>25 A Yes.</p>	<p style="text-align: right;">Page 125</p> <p>1 S. Baldwin</p> <p>2 Q Before we get to the termination,</p> <p>3 which we will probably do after lunch, any other</p> <p>4 acts of retaliation?</p> <p>5 You have told us about Mr. Russo and</p> <p>6 the kind of the coldness, and Ms. Herman and the</p> <p>7 micromanagement kind of using paraphrased words</p> <p>8 based on your complaint. Anything else?</p> <p>9 A Well, I mean I -- it's just -- I</p> <p>10 guess, I mean, I know there are other instances,</p> <p>11 you know, relating to ones that I have already</p> <p>12 mentioned, but I think that -- I think that's all.</p> <p>13 I don't have any specific one in mind at this</p> <p>14 point.</p> <p>15 Q Okay. Who are the people that</p> <p>16 retaliated against you?</p> <p>17 A Phrase that again.</p> <p>18 Q Who, which individuals retaliated</p> <p>19 against you?</p> <p>20 MR. BERNSTEIN: Objection. Calls for</p> <p>21 speculation. You may answer.</p> <p>22 A Stephan Russo, Ms. Herman, you know,</p> <p>23 Mr. Uy in the end, he was part of the firing.</p> <p>24 Q Anyone else?</p> <p>25 A Those are the ones that I had</p>

1 S. BALDWIN

2 memo saying that I refused to use the new  
3 software, which is an absolute lie. I never said  
4 that. And I cannot remember exactly, but I think  
5 I did say to her why it was important for us to  
6 keep the old one running parallel to the new one  
7 for a while so we didn't lose any information.  
8 And while I was gone dealing with a very  
9 important event, namely the death of my mother,  
10 you know, our program was knocked out of service  
11 and the new one wasn't ready for service.

12 Q. Okay. Anything else?

13 A. I mean, people say oh, don't worry,  
14 take all the time you need to deal with that, but  
15 definitely it caused me to be very worried  
16 because nobody could do any work.

17 Q. So you've given me three acts.  
18 Anything else that you claim was retaliation by  
19 Goddard for opposing discriminatory housing  
20 practices?

21 A. No, those are the ones that come to  
22 mind.

23 Q. Now, in paragraph 27 of your  
24 Complaint, you give an example there and you say  
25 that you were cut out of the loop with important

# EXHIBIT U

COPY OF TRANSCRIPT

1

2 UNITED STATES DISTRICT COURT  
3 EASTERN DISTRICT OF NEW YORK

4 - - - - - x

5 SUSAN J. BALDWIN,

6 Plaintiff,

7  
8 -against-

Index No.: 11-CV-7591

9  
10 GODDARD RIVERSIDE COMMUNITY CENTER,

11 Defendant.

12 - - - - - x

13  
14 DEPOSITION of SALVADOR UY

15 Date: November 20, 2012

16 Time: 1:05 p.m.

17  
18  
19  
20  
21 REPORTED BY:

22 JUDEEN M. DENNISTON

23 JOB NO.: 67005

24  
25  
C3 REPORTING

(516) 596-8970

depo@c3reporting.com



S. UY

86

thank you for letting me know" or something like that.

Q. He didn't say good or anything like that?

A. Good, I don't recall.

Q. Did he agree with your decision to terminate Susan Baldwin?

A. Yes.

Q. But it was your understanding that he didn't need to approve your decision to fire Susan Baldwin, correct?

A. Right.

Q. I think that's all for this exhibit for now.

MR. BERNSTEIN: Let's mark that nine.

(Document marked Plaintiff's Exhibit 9 for identification as of this date by the reporter.)

Q. All right, Mr. Uy. I put before you Plaintiff's Exhibit 9, DEF000132.

A. (Witness perusing document.) Yes.

Q. Did you write this letter?

A. Yes, I did.